

RECEIVED
CENTRAL FAX CENTER

Patent
Customer No.: 022870
Docket No.: 20908.002US

JUL 14 2004

UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT OPERATIONS

OFFICIAL

Applicant: BITTNER, Christoph

Application No.: 10/088791

Filing Date: 21 March 2002

Title: METHOD AND DEVICE FOR
CHARACTERIZING A CULTURE
LIQUID

Art Unit: 1651

Examiner: Weber, J.P.

RESPONSE

Via Fax: +1.703.872.9306

14 July 2004

Mail Stop Response - No Fee
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

The Office Action dated 14 April 2004 from examiner Jon P. Weber of Art Unit 1651 has been received. The following is submitted in response.

I certify that I have transmitted this document to the USPTO via facsimile to +1.703.872.9306, this 14th day of July, 2004.


Laurence P. Colton

STATUS

The above-captioned patent application is pending.

Claims 1-28 are pending in the patent application.

Claims 1-28 are subject to a claims restriction and a species election.

RESTRICTION

Applicant restricts the patent application to Group I, namely, Claims 1-9 and 22-24, drawn to a method of determining the living from the dead cells in a culture. This restriction is made with traverse.

ELECTION

Applicant elects the species of Species a, namely, the species corresponding to the second form of illumination of a bright field. Method Claims 1, 2, 6-9, and 22-24 and Apparatus Claims 10-21 and 25-28 are directly readable on the elected species. This election is made with traverse. Applicant notes that the examiner has determined that Claims 1, 10, 22, and 25 are generic, and as all other claims depend from or ultimately from these claims, Applicant submits that all claims are allowable.